

**AMENDMENT TO H.R. 1338**

**OFFERED BY MR. YOUNG OF ALASKA**

At the end add the following new title:

1 **TITLE \_\_\_\_\_ —AMERICAN ENERGY**  
2 **INDEPENDENCE AND PRICE**  
3 **REDUCTION**

4 **SEC. \_\_01. SHORT TITLE.**

5 This title may be cited as the “American Energy  
6 Independence and Price Reduction Act”.

7 **SEC. \_\_02. DEFINITIONS.**

8 In this title:

9 (1) **COASTAL PLAIN.**—The term “Coastal  
10 Plain” means that area described in appendix I to  
11 part 37 of title 50, Code of Federal Regulations.

12 (2) **SECRETARY.**—The term “Secretary”, except  
13 as otherwise provided, means the Secretary of the  
14 Interior or the Secretary’s designee.

15 **SEC. \_\_03. LEASING PROGRAM FOR LANDS WITHIN THE**  
16 **COASTAL PLAIN.**

17 (a) **IN GENERAL.**—The Secretary shall take such ac-  
18 tions as are necessary—

19 (1) to establish and implement, in accordance  
20 with this title and acting through the Director of the

1 Bureau of Land Management in consultation with  
2 the Director of the United States Fish and Wildlife  
3 Service, a competitive oil and gas leasing program  
4 that will result in an environmentally sound program  
5 for the exploration, development, and production of  
6 the oil and gas resources of the Coastal Plain; and

7 (2) to administer the provisions of this title  
8 through regulations, lease terms, conditions, restric-  
9 tions, prohibitions, stipulations, and other provisions  
10 that ensure the oil and gas exploration, development,  
11 and production activities on the Coastal Plain will  
12 result in no significant adverse effect on fish and  
13 wildlife, their habitat, subsistence resources, and the  
14 environment, including, in furtherance of this goal,  
15 by requiring the application of the best commercially  
16 available technology for oil and gas exploration, de-  
17 velopment, and production to all exploration, devel-  
18 opment, and production operations under this title  
19 in a manner that ensures the receipt of fair market  
20 value by the public for the mineral resources to be  
21 leased.

22 (b) REPEAL.—

23 (1) REPEAL.—Section 1003 of the Alaska Na-  
24 tional Interest Lands Conservation Act of 1980 (16  
25 U.S.C. 3143) is repealed.

1           (2) CONFORMING AMENDMENT.—The table of  
2 contents in section 1 of such Act is amended by  
3 striking the item relating to section 1003.

4           (c) COMPLIANCE WITH REQUIREMENTS UNDER CER-  
5 TAIN OTHER LAWS.—

6           (1) COMPATIBILITY.—For purposes of the Na-  
7 tional Wildlife Refuge System Administration Act of  
8 1966 (16 U.S.C. 668dd et seq.), the oil and gas  
9 leasing program and activities authorized by this  
10 section in the Coastal Plain are deemed to be com-  
11 patible with the purposes for which the Arctic Na-  
12 tional Wildlife Refuge was established, and no fur-  
13 ther findings or decisions are required to implement  
14 this determination.

15           (2) ADEQUACY OF THE DEPARTMENT OF THE  
16 INTERIOR'S LEGISLATIVE ENVIRONMENTAL IMPACT  
17 STATEMENT.—The "Final Legislative Environ-  
18 mental Impact Statement" (April 1987) on the  
19 Coastal Plain prepared pursuant to section 1002 of  
20 the Alaska National Interest Lands Conservation  
21 Act of 1980 (16 U.S.C. 3142) and section 102(2)(C)  
22 of the National Environmental Policy Act of 1969  
23 (42 U.S.C. 4332(2)(C)) is deemed to satisfy the re-  
24 quirements under the National Environmental Policy  
25 Act of 1969 that apply with respect to prelease ac-

1           activities, including actions authorized to be taken by  
2           the Secretary to develop and promulgate the regula-  
3           tions for the establishment of a leasing program au-  
4           thorized by this title before the conduct of the first  
5           lease sale.

6           (3) COMPLIANCE WITH NEPA FOR OTHER AC-  
7           TIONS.—Before conducting the first lease sale under  
8           this title, the Secretary shall prepare an environ-  
9           mental impact statement under the National Envi-  
10          ronmental Policy Act of 1969 with respect to the ac-  
11          tions authorized by this title that are not referred to  
12          in paragraph (2). Notwithstanding any other law,  
13          the Secretary is not required to identify nonleasing  
14          alternative courses of action or to analyze the envi-  
15          ronmental effects of such courses of action. The Sec-  
16          retary shall only identify a preferred action for such  
17          leasing and a single leasing alternative, and analyze  
18          the environmental effects and potential mitigation  
19          measures for those two alternatives. The identifica-  
20          tion of the preferred action and related analysis for  
21          the first lease sale under this title shall be completed  
22          within 18 months after the date of enactment of this  
23          Act. The Secretary shall only consider public com-  
24          ments that specifically address the Secretary's pre-  
25          ferred action and that are filed within 20 days after

1 publication of an environmental analysis. Notwith-  
2 standing any other law, compliance with this para-  
3 graph is deemed to satisfy all requirements for the  
4 analysis and consideration of the environmental ef-  
5 fects of proposed leasing under this title.

6 (d) RELATIONSHIP TO STATE AND LOCAL AUTHOR-  
7 ITY.—Nothing in this title shall be considered to expand  
8 or limit State and local regulatory authority.

9 (e) SPECIAL AREAS.—

10 (1) IN GENERAL.—The Secretary, after con-  
11 sultation with the State of Alaska, the city of  
12 Kaktovik, and the North Slope Borough, may des-  
13 ignate up to a total of 45,000 acres of the Coastal  
14 Plain as a Special Area if the Secretary determines  
15 that the Special Area is of such unique character  
16 and interest so as to require special management  
17 and regulatory protection. The Secretary shall des-  
18 ignate as such a Special Area the Sadlerochit Spring  
19 area, comprising approximately 4,000 acres.

20 (2) MANAGEMENT.—Each such Special Area  
21 shall be managed so as to protect and preserve the  
22 area's unique and diverse character including its  
23 fish, wildlife, and subsistence resource values.

24 (3) EXCLUSION FROM LEASING OR SURFACE  
25 OCCUPANCY.—The Secretary may exclude any Spe-

1       cial Area from leasing. If the Secretary leases a Spe-  
2       cial Area, or any part thereof, for purposes of oil  
3       and gas exploration, development, production, and  
4       related activities, there shall be no surface occu-  
5       pancy of the lands comprising the Special Area.

6           (4) DIRECTIONAL DRILLING.—Notwithstanding  
7       the other provisions of this subsection, the Secretary  
8       may lease all or a portion of a Special Area under  
9       terms that permit the use of horizontal drilling tech-  
10      nology from sites on leases located outside the Spe-  
11      cial Area.

12       (f) LIMITATION ON CLOSED AREAS.—The Sec-  
13      retary's sole authority to close lands within the Coastal  
14      Plain to oil and gas leasing and to exploration, develop-  
15      ment, and production is that set forth in this title.

16       (g) REGULATIONS.—

17           (1) IN GENERAL.—The Secretary shall pre-  
18      scribe such regulations as may be necessary to carry  
19      out this title, including rules and regulations relating  
20      to protection of the fish and wildlife, their habitat,  
21      subsistence resources, and environment of the Coast-  
22      al Plain, by no later than 15 months after the date  
23      of enactment of this Act.

24           (2) REVISION OF REGULATIONS.—The Sec-  
25      retary shall periodically review and, if appropriate,

1       revise the rules and regulations issued under sub-  
2       section (a) to reflect any significant biological, envi-  
3       ronmental, or engineering data that come to the Sec-  
4       retary's attention.

5       **SEC. 04. LEASE SALES.**

6       (a) **IN GENERAL.**—Lands may be leased pursuant to  
7       this title to any person qualified to obtain a lease for de-  
8       posits of oil and gas under the Mineral Leasing Act (30  
9       U.S.C. 181 et seq.).

10      (b) **PROCEDURES.**—The Secretary shall, by regula-  
11      tion, establish procedures for—

12           (1) receipt and consideration of sealed nomina-  
13           tions for any area in the Coastal Plain for inclusion  
14           in, or exclusion (as provided in subsection (c)) from,  
15           a lease sale;

16           (2) the holding of lease sales after such nomina-  
17           tion process; and

18           (3) public notice of and comment on designa-  
19           tion of areas to be included in, or excluded from, a  
20           lease sale.

21      (c) **LEASE SALE BIDS.**—Bidding for leases under  
22      this title shall be by sealed competitive cash bonus bids.

23      (d) **ACREAGE MINIMUM IN FIRST SALE.**—In the first  
24      lease sale under this title, the Secretary shall offer for  
25      lease those tracts the Secretary considers to have the

1 greatest potential for the discovery of hydrocarbons, tak-  
2 ing into consideration nominations received pursuant to  
3 subsection (b)(1), but in no case less than 200,000 acres.

4 (e) TIMING OF LEASE SALES.—The Secretary  
5 shall—

6 (1) conduct the first lease sale under this title  
7 within 22 months after the date of the enactment of  
8 this Act;

9 (2) evaluate the bids in such sale and issue  
10 leases resulting from such sale, within 90 days after  
11 the date of the completion of such sale; and

12 (3) conduct additional sales so long as sufficient  
13 interest in development exists to warrant, in the Sec-  
14 retary's judgment, the conduct of such sales.

15 **SEC. 05. GRANT OF LEASES BY THE SECRETARY.**

16 (a) IN GENERAL.—The Secretary may grant to the  
17 highest responsible qualified bidder in a lease sale con-  
18 ducted pursuant to section 04 any lands to be leased  
19 on the Coastal Plain upon payment by the lessee of such  
20 bonus as may be accepted by the Secretary.

21 (b) SUBSEQUENT TRANSFERS.—No lease issued  
22 under this title may be sold, exchanged, assigned, sublet,  
23 or otherwise transferred except with the approval of the  
24 Secretary. Prior to any such approval the Secretary shall

1 consult with, and give due consideration to the views of,  
2 the Attorney General.

3 **SEC. 06. LEASE TERMS AND CONDITIONS.**

4 (a) IN GENERAL.—An oil or gas lease issued pursu-  
5 ant to this title shall—

6 (1) provide for the payment of a royalty of not  
7 less than 12½ percent in amount or value of the  
8 production removed or sold from the lease, as deter-  
9 mined by the Secretary under the regulations appli-  
10 cable to other Federal oil and gas leases;

11 (2) provide that the Secretary may close, on a  
12 seasonal basis, portions of the Coastal Plain to ex-  
13 ploratory drilling activities as necessary to protect  
14 caribou calving areas and other species of fish and  
15 wildlife;

16 (3) require that the lessee of lands within the  
17 Coastal Plain shall be fully responsible and liable for  
18 the reclamation of lands within the Coastal Plain  
19 and any other Federal lands that are adversely af-  
20 fected in connection with exploration, development,  
21 production, or transportation activities conducted  
22 under the lease and within the Coastal Plain by the  
23 lessee or by any of the subcontractors or agents of  
24 the lessee;

1           (4) provide that the lessee may not delegate or  
2 convey, by contract or otherwise, the reclamation re-  
3 sponsibility and liability to another person without  
4 the express written approval of the Secretary;

5           (5) provide that the standard of reclamation for  
6 lands required to be reclaimed under this title shall  
7 be, as nearly as practicable, a condition capable of  
8 supporting the uses which the lands were capable of  
9 supporting prior to any exploration, development, or  
10 production activities, or upon application by the les-  
11 see, to a higher or better use as approved by the  
12 Secretary;

13           (6) contain terms and conditions relating to  
14 protection of fish and wildlife, their habitat, subsist-  
15 ence resources, and the environment as required  
16 pursuant to section \_\_03(a)(2);

17           (7) provide that the lessee, its agents, and its  
18 contractors use best efforts to provide a fair share,  
19 as determined by the level of obligation previously  
20 agreed to in the 1974 agreement implementing sec-  
21 tion 29 of the Federal Agreement and Grant of  
22 Right of Way for the Operation of the Trans-Alaska  
23 Pipeline, of employment and contracting for Alaska  
24 Natives and Alaska Native Corporations from  
25 throughout the State;

1 (8) prohibit the export of oil produced under  
2 the lease; and

3 (9) contain such other provisions as the Sec-  
4 retary determines necessary to ensure compliance  
5 with the provisions of this title and the regulations  
6 issued under this title.

7 (b) **PROJECT LABOR AGREEMENTS.**—The Secretary,  
8 as a term and condition of each lease under this title and  
9 in recognizing the Government's proprietary interest in  
10 labor stability and in the ability of construction labor and  
11 management to meet the particular needs and conditions  
12 of projects to be developed under the leases issued pursu-  
13 ant to this title and the special concerns of the parties  
14 to such leases, shall require that the lessee and its agents  
15 and contractors negotiate to obtain a project labor agree-  
16 ment for the employment of laborers and mechanics on  
17 production, maintenance, and construction under the  
18 lease.

19 **SEC. 07. COASTAL PLAIN ENVIRONMENTAL PROTECTION.**

20 (a) **NO SIGNIFICANT ADVERSE EFFECT STANDARD**  
21 **TO GOVERN AUTHORIZED COASTAL PLAIN ACTIVITIES.**—

22 The Secretary shall, consistent with the requirements of  
23 section 03, administer the provisions of this title  
24 through regulations, lease terms, conditions, restrictions,  
25 prohibitions, stipulations, and other provisions that—

1 (1) ensure the oil and gas exploration, develop-  
2 ment, and production activities on the Coastal Plain  
3 will result in no significant adverse effect on fish  
4 and wildlife, their habitat, and the environment;

5 (2) require the application of the best commer-  
6 cially available technology for oil and gas explo-  
7 ration, development, and production on all new ex-  
8 ploration, development, and production operations;  
9 and

10 (3) ensure that the maximum amount of sur-  
11 face acreage covered by production and support fa-  
12 cilities, including airstrips and any areas covered by  
13 gravel berms or piers for support of pipelines, does  
14 not exceed 2,000 acres on the Coastal Plain.

15 (b) SITE-SPECIFIC ASSESSMENT AND MITIGATION.—

16 The Secretary shall also require, with respect to any pro-  
17 posed drilling and related activities, that—

18 (1) a site-specific analysis be made of the prob-  
19 able effects, if any, that the drilling or related activi-  
20 ties will have on fish and wildlife, their habitat, sub-  
21 sistence resources, and the environment;

22 (2) a plan be implemented to avoid, minimize,  
23 and mitigate (in that order and to the extent prac-  
24 ticable) any significant adverse effect identified  
25 under paragraph (1); and

1 (3) the development of the plan shall occur  
2 after consultation with the agency or agencies hav-  
3 ing jurisdiction over matters mitigated by the plan.

4 (c) REGULATIONS TO PROTECT COASTAL PLAIN  
5 FISH AND WILDLIFE RESOURCES, SUBSISTENCE USERS,  
6 AND THE ENVIRONMENT.—Before implementing the leas-  
7 ing program authorized by this title, the Secretary shall  
8 prepare and promulgate regulations, lease terms, condi-  
9 tions, restrictions, prohibitions, stipulations, and other  
10 measures designed to ensure that the activities undertaken  
11 on the Coastal Plain under this title are conducted in a  
12 manner consistent with the purposes and environmental  
13 requirements of this title.

14 (d) COMPLIANCE WITH FEDERAL AND STATE ENVI-  
15 RONMENTAL LAWS AND OTHER REQUIREMENTS.—The  
16 proposed regulations, lease terms, conditions, restrictions,  
17 prohibitions, and stipulations for the leasing program  
18 under this title shall require compliance with all applicable  
19 provisions of Federal and State environmental law, and  
20 shall also require the following:

21 (1) Standards at least as effective as the safety  
22 and environmental mitigation measures set forth in  
23 items 1 through 29 at pages 167 through 169 of the  
24 “Final Legislative Environmental Impact State-  
25 ment” (April 1987) on the Coastal Plain.

1           (2) Seasonal limitations on exploration, develop-  
2           ment, and related activities, where necessary, to  
3           avoid significant adverse effects during periods of  
4           concentrated fish and wildlife breeding, denning,  
5           nesting, spawning, and migration.

6           (3) That exploration activities, except for sur-  
7           face geological studies, be limited to the period be-  
8           tween approximately November 1 and May 1 each  
9           year and that exploration activities shall be sup-  
10          ported, if necessary, by ice roads, winter trails with  
11          adequate snow cover, ice pads, ice airstrips, and air  
12          transport methods, except that such exploration ac-  
13          tivities may occur at other times if the Secretary  
14          finds that such exploration will have no significant  
15          adverse effect on the fish and wildlife, their habitat,  
16          and the environment of the Coastal Plain.

17          (4) Design safety and construction standards  
18          for all pipelines and any access and service roads,  
19          that—

20                 (A) minimize, to the maximum extent pos-  
21                 sible, adverse effects upon the passage of mi-  
22                 gratory species such as caribou; and

23                 (B) minimize adverse effects upon the flow  
24                 of surface water by requiring the use of cul-  
25                 verts, bridges, and other structural devices.

1 (5) Prohibitions on general public access and  
2 use on all pipeline access and service roads.

3 (6) Stringent reclamation and rehabilitation re-  
4 quirements, consistent with the standards set forth  
5 in this title, requiring the removal from the Coastal  
6 Plain of all oil and gas development and production  
7 facilities, structures, and equipment upon completion  
8 of oil and gas production operations, except that the  
9 Secretary may exempt from the requirements of this  
10 paragraph those facilities, structures, or equipment  
11 that the Secretary determines would assist in the  
12 management of the Arctic National Wildlife Refuge  
13 and that are donated to the United States for that  
14 purpose.

15 (7) Appropriate prohibitions or restrictions on  
16 access by all modes of transportation.

17 (8) Appropriate prohibitions or restrictions on  
18 sand and gravel extraction.

19 (9) Consolidation of facility siting.

20 (10) Appropriate prohibitions or restrictions on  
21 use of explosives.

22 (11) Avoidance, to the extent practicable, of  
23 springs, streams, and river system; the protection of  
24 natural surface drainage patterns, wetlands, and ri-  
25 parian habitats; and the regulation of methods or

1 techniques for developing or transporting adequate  
2 supplies of water for exploratory drilling.

3 (12) Avoidance or minimization of air traffic-re-  
4 lated disturbance to fish and wildlife.

5 (13) Treatment and disposal of hazardous and  
6 toxic wastes, solid wastes, reserve pit fluids, drilling  
7 muds and cuttings, and domestic wastewater, includ-  
8 ing an annual waste management report, a haz-  
9 ardous materials tracking system, and a prohibition  
10 on chlorinated solvents, in accordance with applica-  
11 ble Federal and State environmental law.

12 (14) Fuel storage and oil spill contingency plan-  
13 ning.

14 (15) Research, monitoring, and reporting re-  
15 quirements.

16 (16) Field crew environmental briefings.

17 (17) Avoidance of significant adverse effects  
18 upon subsistence hunting, fishing, and trapping by  
19 subsistence users.

20 (18) Compliance with applicable air and water  
21 quality standards.

22 (19) Appropriate seasonal and safety zone des-  
23 ignations around well sites, within which subsistence  
24 hunting and trapping shall be limited.

1           (20) Reasonable stipulations for protection of  
2           cultural and archeological resources.

3           (21) All other protective environmental stipula-  
4           tions, restrictions, terms, and conditions deemed  
5           necessary by the Secretary.

6           (e) CONSIDERATIONS.—In preparing and promul-  
7           gating regulations, lease terms, conditions, restrictions,  
8           prohibitions, and stipulations under this section, the Sec-  
9           retary shall consider the following:

10           (1) The stipulations and conditions that govern  
11           the National Petroleum Reserve-Alaska leasing pro-  
12           gram, as set forth in the 1999 Northeast National  
13           Petroleum Reserve-Alaska Final Integrated Activity  
14           Plan/Environmental Impact Statement.

15           (2) The environmental protection standards  
16           that governed the initial Coastal Plain seismic explo-  
17           ration program under parts 37.31 to 37.33 of title  
18           50, Code of Federal Regulations.

19           (3) The land use stipulations for exploratory  
20           drilling on the KIC-ASRC private lands that are set  
21           forth in Appendix 2 of the August 9, 1983, agree-  
22           ment between Arctic Slope Regional Corporation and  
23           the United States.

24           (f) FACILITY CONSOLIDATION PLANNING.—

1           (1) IN GENERAL.—The Secretary shall, after  
2           providing for public notice and comment, prepare  
3           and update periodically a plan to govern, guide, and  
4           direct the siting and construction of facilities for the  
5           exploration, development, production, and transpor-  
6           tation of Coastal Plain oil and gas resources.

7           (2) OBJECTIVES.—The plan shall have the fol-  
8           lowing objectives:

9                   (A) Avoiding unnecessary duplication of fa-  
10                   cilities and activities.

11                   (B) Encouraging consolidation of common  
12                   facilities and activities.

13                   (C) Locating or confining facilities and ac-  
14                   tivities to areas that will minimize impact on  
15                   fish and wildlife, their habitat, and the environ-  
16                   ment.

17                   (D) Utilizing existing facilities wherever  
18                   practicable.

19                   (E) Enhancing compatibility between wild-  
20                   life values and development activities.

21           (g) ACCESS TO PUBLIC LANDS.—The Secretary  
22           shall—

23                   (1) manage public lands in the Coastal Plain  
24                   subject to subsections (a) and (b) of section 811 of

1 the Alaska National Interest Lands Conservation  
2 Act (16 U.S.C. 3121); and

3 (2) ensure that local residents shall have rea-  
4 sonable access to public lands in the Coastal Plain  
5 for traditional uses.

6 **SEC. 08. EXPEDITED JUDICIAL REVIEW.**

7 (a) **FILING OF COMPLAINT.—**

8 (1) **DEADLINE.—**Subject to paragraph (2), any  
9 complaint seeking judicial review of any provision of  
10 this title or any action of the Secretary under this  
11 title shall be filed—

12 (A) except as provided in subparagraph  
13 (B), within the 90-day period beginning on the  
14 date of the action being challenged; or

15 (B) in the case of a complaint based solely  
16 on grounds arising after such period, within 90  
17 days after the complainant knew or reasonably  
18 should have known of the grounds for the com-  
19 plaint.

20 (2) **VENUE.—**Any complaint seeking judicial re-  
21 view of any provision of this title or any action of  
22 the Secretary under this title may be filed only in  
23 the United States Court of Appeals for the District  
24 of Columbia.



1 (2) except as provided in section \_\_12(d), the  
2 balance shall be transferred to the ANWR Alter-  
3 native Energy Trust Fund established by this title.

4 (b) PAYMENTS TO ALASKA.—Payments to the State  
5 of Alaska under this section shall be made semiannually.

6 **SEC. 10. RIGHTS-OF-WAY ACROSS THE COASTAL PLAIN.**

7 (a) IN GENERAL.—The Secretary shall issue rights-  
8 of-way and easements across the Coastal Plain for the  
9 transportation of oil and gas—

10 (1) except as provided in paragraph (2), under  
11 section 28 of the Mineral Leasing Act (30 U.S.C.  
12 185), without regard to title XI of the Alaska Na-  
13 tional Interest Lands Conservation Act (30 U.S.C.  
14 3161 et seq.); and

15 (2) under title XI of the Alaska National Inter-  
16 est Lands Conservation Act (30 U.S.C. 3161 et  
17 seq.), for access authorized by sections 1110 and  
18 1111 of that Act (16 U.S.C. 3170 and 3171).

19 (b) TERMS AND CONDITIONS.—The Secretary shall  
20 include in any right-of-way or easement issued under sub-  
21 section (a) such terms and conditions as may be necessary  
22 to ensure that transportation of oil and gas does not result  
23 in a significant adverse effect on the fish and wildlife, sub-  
24 sistence resources, their habitat, and the environment of  
25 the Coastal Plain, including requirements that facilities be

1 sited or designed so as to avoid unnecessary duplication  
2 of roads and pipelines.

3 (c) REGULATIONS.—The Secretary shall include in  
4 regulations under section \_\_03(g) provisions granting  
5 rights-of-way and easements described in subsection (a)  
6 of this section.

7 SEC. \_\_11. CONVEYANCE.

8 In order to maximize Federal revenues by removing  
9 clouds on title to lands and clarifying land ownership pat-  
10 terns within the Coastal Plain, the Secretary, notwith-  
11 standing the provisions of section 1302(h)(2) of the Alas-  
12 ka National Interest Lands Conservation Act (16 U.S.C.  
13 3192(h)(2)), shall convey—

14 (1) to the Kaktovik Inupiat Corporation the  
15 surface estate of the lands described in paragraph 1  
16 of Public Land Order 6959, to the extent necessary  
17 to fulfill the Corporation's entitlement under sec-  
18 tions 12 and 14 of the Alaska Native Claims Settle-  
19 ment Act (43 U.S.C. 1611 and 1613) in accordance  
20 with the terms and conditions of the Agreement be-  
21 tween the Department of the Interior, the United  
22 States Fish and Wildlife Service, the Bureau of  
23 Land Management, and the Kaktovik Inupiat Cor-  
24 poration effective January 22, 1993; and

1           (2) to the Arctic Slope Regional Corporation  
2           the remaining subsurface estate to which it is enti-  
3           tled pursuant to the August 9, 1983, agreement be-  
4           tween the Arctic Slope Regional Corporation and the  
5           United States of America.

6 **SEC. 12. LOCAL GOVERNMENT IMPACT AID AND COMMU-**  
7           **NITY SERVICE ASSISTANCE.**

8           (a) **FINANCIAL ASSISTANCE AUTHORIZED.—**

9           (1) **IN GENERAL.—**The Secretary may use  
10           amounts available from the Coastal Plain Local Gov-  
11           ernment Impact Aid Assistance Fund established by  
12           subsection (d) to provide timely financial assistance  
13           to entities that are eligible under paragraph (2) and  
14           that are directly impacted by the exploration for or  
15           production of oil and gas on the Coastal Plain under  
16           this title.

17           (2) **ELIGIBLE ENTITIES.—**The North Slope  
18           Borough, the City of Kaktovik, and any other bor-  
19           ough, municipal subdivision, village, or other com-  
20           munity in the State of Alaska that is directly im-  
21           pacted by exploration for, or the production of, oil  
22           or gas on the Coastal Plain under this title, as de-  
23           termined by the Secretary, shall be eligible for finan-  
24           cial assistance under this section.

1 (b) USE OF ASSISTANCE.—Financial assistance  
2 under this section may be used only for—

3 (1) planning for mitigation of the potential ef-  
4 fects of oil and gas exploration and development on  
5 environmental, social, cultural, recreational, and sub-  
6 sistence values;

7 (2) implementing mitigation plans and main-  
8 taining mitigation projects;

9 (3) developing, carrying out, and maintaining  
10 projects and programs that provide new or expanded  
11 public facilities and services to address needs and  
12 problems associated with such effects, including fire-  
13 fighting, police, water, waste treatment, medivac,  
14 and medical services; and

15 (4) establishment of a coordination office, by  
16 the North Slope Borough, in the City of Kaktovik,  
17 which shall—

18 (A) coordinate with and advise developers  
19 on local conditions, impact, and history of the  
20 areas utilized for development; and

21 (B) provide to the Committee on Resources  
22 of the House of Representatives and the Com-  
23 mittee on Energy and Natural Resources of the  
24 Senate an annual report on the status of co-

1           ordination between developers and the commu-  
2           nities affected by development.

3           (c) APPLICATION.—

4           (1) IN GENERAL.—Any community that is eligi-  
5           ble for assistance under this section may submit an  
6           application for such assistance to the Secretary, in  
7           such form and under such procedures as the Sec-  
8           retary may prescribe by regulation.

9           (2) NORTH SLOPE BOROUGH COMMUNITIES.—A  
10          community located in the North Slope Borough may  
11          apply for assistance under this section either directly  
12          to the Secretary or through the North Slope Bor-  
13          ough

14          (3) APPLICATION ASSISTANCE.—The Secretary  
15          shall work closely with and assist the North Slope  
16          Borough and other communities eligible for assist-  
17          ance under this section in developing and submitting  
18          applications for assistance under this section.

19          (d) ESTABLISHMENT OF FUND.—

20          (1) IN GENERAL.—There is established in the  
21          Treasury the Coastal Plain Local Government Im-  
22          pact Aid Assistance Fund.

23          (2) USE.—Amounts in the fund may be used  
24          only for providing financial assistance under this  
25          section.

1           (3) DEPOSITS.—Subject to paragraph (4), there  
2 shall be deposited into the fund amounts received by  
3 the United States as revenues derived from rents,  
4 bonuses, and royalties from Federal leases and lease  
5 sales authorized under this title.

6           (4) LIMITATION ON DEPOSITS.—The total  
7 amount in the fund may not exceed \$11,000,000.

8           (5) INVESTMENT OF BALANCES.—The Sec-  
9 retary of the Treasury shall invest amounts in the  
10 fund in interest bearing government securities.

11          (e) AUTHORIZATION OF APPROPRIATIONS.—To pro-  
12 vide financial assistance under this section there is author-  
13 ized to be appropriated to the Secretary from the Coastal  
14 Plain Local Government Impact Aid Assistance Fund  
15 \$5,000,000 for each fiscal year.

16 **SEC. 13. ANWR ALTERNATIVE ENERGY TRUST FUND.**

17          (a) ESTABLISHMENT OF TRUST FUND.—There is es-  
18 tablished in the Treasury of the United States a trust fund  
19 to be known as the “ANWR Alternative Energy Trust  
20 Fund”, consisting of such amounts as may be transferred  
21 to the ANWR Alternative Energy Trust Fund as provided  
22 in section 09.

23          (b) EXPENDITURES FROM ANWR ALTERNATIVE  
24 ENERGY TRUST FUND.—

1           (1) IN GENERAL.—Amounts in the ANWR Al-  
2     ternative Energy Trust Fund shall be available with-  
3     out further appropriation to carry out specified pro-  
4     visions of the Energy Policy Act of 2005 (Public  
5     Law 109–58; in this section referred to as  
6     “EPAAct2005”) and the Energy Independence and  
7     Security Act of 2007 (Public Law 110–140; in this  
8     section referred to as “EISAct2007”), as follows:

**To carry out the provisions of:** **The following percentage of annual receipts to the ANWR Alternative Energy Trust Fund, but not to exceed the limit on amount authorized, if any:**

<b>EPAAct2005:</b>	
Section 210 .....	1.5 percent
Section 242 .....	1.0 percent
Section 369 .....	2.0 percent
Section 401 .....	6.0 percent
Section 812 .....	6.0 percent
Section 931 .....	19.0 percent
Section 942 .....	1.5 percent
Section 962 .....	3.0 percent
Section 968 .....	1.5 percent
Section 1704 .....	6.0 percent
<b>EISAct2007:</b>	
Section 207 .....	15.0 percent
Section 607 .....	1.5 percent
Title VI, Subtitle B .....	3.0 percent
Title VI, Subtitle C .....	1.5 percent
Section 641 .....	9.0 percent
Title VII, Subtitle A .....	15.0 percent
Section 1112 .....	1.5 percent
Section 1304 .....	6.0 percent

1           (2) APPORTIONMENT OF EXCESS AMOUNT.—  
 2       Notwithstanding paragraph (1), any amounts allo-  
 3       cated under paragraph (1) that are in excess of the  
 4       amounts authorized in the applicable cited section or  
 5       subtitle of EPAAct2005 and EISAct2007 shall be re-  
 6       allocated to the remaining sections and subtitles  
 7       cited in paragraph (1), up to the amounts otherwise  
 8       authorized by law to carry out such sections and  
 9       subtitles, in proportion to the amounts authorized by  
 10      law to be appropriated for such other sections and  
 11      subtitles.

